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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/667,611

Applicant(s)

GUYAN ET AL.

Examiner

Vanel Frenel

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Notice to Applicant**

1. This communication is in response to the Amendment filed on 03/30/05. Claims 1-42 have been amended. Claims 43-45 have been newly added. Claims 1-45 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiRienzo et al (6,076,066), Montagna et al (4,899,292) in view of Devine et al (6,631,402).

(A) As per claim 1, DiRienzo discloses a method for capturing line item data by a data processing system, comprising (See DiRienzo, Col.11, lines 61-67): receiving claim identification information from a client computer, said claim identification information identifying an insurance claim (See DiRienzo, Col.9, lines 3-24); querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded to the client computer, the spreadsheet receives the line item data (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); downloading the spreadsheet appropriate for the type of insurance claim to the client

computer (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); inserting line item data into the spreadsheet appropriate for the type of insurance claim (See DiRienzo, Col.9, lines 3-24); aggregating the line item data collected from the client computer; storing the line item data in an insurance host server (Col.11, lines 31-67 to Col.12, line 22).

DiRienzo does not explicitly disclose providing the client computer with an item tree of line item data based on the line level; aggregating the line item data collected from the client computer.

However, these features are known in the art, as evidenced by Montagna. In particular, Montagna suggests providing the client computer with an item tree of line item data based on the line level (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40); aggregating the line item data collected from the client computer (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Montagna within the system of DiRienzo with the motivation of providing a system for storing and retrieving document text, worksheets and associated data and graphics, which system automatically indexes a variety of graphics relating to a document and permits convenient and rapid selection and display of the associated graphics (See Montagna, Col.2, lines 48-52).

DiRienzo and Montagna do not explicitly disclose presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet; when the spreadsheet option is selected; and when the web-based process option is selected.

However, these features are known in the art, as evidenced by Devine. In particular, Devine suggests presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet (See Devine, Col.16, lines 39-67); when the spreadsheet option is selected (See Devine, Col.5, lines 22-52); and when the web-based process option is selected (See Devine, Col.6, lines 4-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Devine within the collective teachings of DiRienzo and Montagna with the motivation of providing an integrated proxy interface that reformats specific browser-based commands and communicates them to one or more corporate back-end fulfilling servers (See Devine, Col.2, lines 28-33).

(B) As per claim 2, DiRienzo discloses the method wherein receiving claim identification information further includes receiving a claim number (Col.16, lines 46-67).

(C) As per claim 3, DiRienzo discloses the method wherein receiving claim identification information, further includes receiving a password (Col.18, lines 33-67).

(D) As per claim 4, DiRienzo discloses the method wherein receiving claim identification information, further includes validating the password and the claim number (Col.18, lines 33-67).

(E) As per claim 5, DiRienzo discloses the method wherein the step of receiving claim identification information further includes the step of issuing a fraud warning (Col.5, lines 8-51).

(F) As per claim 6, DiRienzo discloses the method further comprising receiving information into the spreadsheet when the spreadsheet option is selected (Col.13, lines 8-47).

(G) As per claim 7, DiRienzo discloses the method wherein the aggregating comprises aggregating line item data in the spreadsheet when the spreadsheet option is selected (Col.13, lines 8-47).

(H) As per claim 8, DiRienzo discloses the method wherein aggregating further comprises uploading the spreadsheet to the insurance host server when the spreadsheet option is selected (Col.13, lines 8-47).

(I) As per claim 9, Devine discloses the method wherein providing comprises displaying an item tree of line item data based on the line level when the web-based process option is selected (See Devine, Col.16, lines 1-59).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(J) As per claim 10, Devine discloses the method wherein providing further comprises tunneling through the item tree when the web-based process option is selected (See Devine, Col.16, lines 1-59).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(K) As per claim 11, Devine discloses the method wherein providing further comprises receiving a selection of a line item level data from the item tree when the web-based process option is selected (See Devine, Col.16, lines 1-59).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(L) As per claim 12, Devine discloses the method wherein aggregating comprises updating a display of line items based on claimant's selected line items when the web-based process option is selected (See Devine, Col.16, lines 1-59).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(M) As per claim 13, DiRienzo discloses the method further comprising updating a display of aggregated line item data from the insurance host server when either the spreadsheet or the web-based process option is selected (Col.11, lines 31-67 to Col.12, line 22).

(N) As per claim 14, Devine discloses the method further comprising editing a listing of aggregated line item level data from the insurance host server when the web-based process option is selected (See Devine, Col.16, lines 1-59).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(O) As per claim 15, DiRienzo discloses a system for capturing line item data (Col.11, lines 31-67 to Col.12, line 22), comprising: a processor for executing programs (Col.13, lines 8-47), and a memory for storing a program executable by the processor, the stored program including instructions for (i) receiving claim identification information from a client computer, said claim identification information comprising, a line level identifying an insurance claim (Col.11, lines 31-67 to Col.12, line 22); querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded to the client computer, the spreadsheet receives the line item data (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); downloading the spreadsheet appropriate for the type of insurance claim to the client computer (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); inserting line item data into the spreadsheet appropriate for the type of insurance claim (See DiRienzo, Col.9, lines 3-24); aggregating the line item data collected from the client computer; storing the line item data in an insurance host server (Col.11, lines 31-67 to Col.12, line 22).



DiRienzo does not explicitly disclose providing the client computer with an item tree of line item data based on the line level; aggregating the line item data collected from the client computer.

However, these features are known in the art, as evidenced by Montagna. In particular, Montagna suggests providing the client computer with an item tree of line item data based on the line level (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40); aggregating the line item data collected from the client computer (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Montagna within the system of DiRienzo with the motivation of providing a system for storing and retrieving document text, worksheets and associated data and graphics, which system automatically indexes a variety of graphics relating to a document and permits convenient and rapid selection and display of the associated graphics (See Montagna, Col.2, lines 48-52).

DiRienzo and Montagna do not explicitly disclose presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet; when the spreadsheet option is selected; and when the web-based process option is selected; when either the spreadsheet or the web-based process option is selected.

However, these features are known in the art, as evidenced by Devine. In particular, Devine suggests presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet

(See Devine, Col.16, lines 39-67); when the spreadsheet option is selected (See Devine, Col.5, lines 22-52); and when the web-based process option is selected (See Devine, Col.6, lines 4-55); when either the spreadsheet or the web-based process option is selected (See Devine, Col.11, lines 9-50)

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Devine within the collective teachings of DiRienzo and Montagna with the motivation of providing an integrated proxy interface that reformats specific browser-based commands and communicates them to one or more corporate back-end fulfilling servers (See Devine, Col.2, lines 28-33).

(P) As per claim 29, DiRienzo discloses a computer readable medium containing instructions for controlling a computer system to perform a method for capturing line item data (See DiRienzo, Col.11, lines 61-67) the method comprising: receiving claim identification information from a client computer, said claim identification information comprising, a line level identifying an insurance claim (See DiRienzo, Col.9, lines 3-24); querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded to the client computer (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); downloading the appropriate spreadsheet to the client computer (See DiRienzo, Col.11, lines 30-67 to Col.12, line 30); inserting line item data into the spreadsheet appropriate for the type of insurance claim (See DiRienzo, Col.9, lines 3-24); aggregating the line item data

collected from the client computer; storing the line item data in an insurance host server (Col.11, lines 31-67 to Col.12, line 22).

DiRienzo does not explicitly disclose providing the client computer with an item tree of line item data based on the line level; aggregating the line item data collected from the client computer.

However, these features are known in the art, as evidenced by Montagna. In particular, Montagna suggests providing the client computer with an item tree of line item data based on the line level (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40); aggregating the line item data collected from the client computer (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Montagna within the system of DiRienzo with the motivation of providing a system for storing and retrieving document text, worksheets and associated data and graphics, which system automatically indexes a variety of graphics relating to a document and permits convenient and rapid selection and display of the associated graphics (See Montagna, Col.2, lines 48-52).

DiRienzo and Montagna do not explicitly disclose presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet; when the spreadsheet option is selected; and when the web-based process option is selected.

However, these features are known in the art, as evidenced by Devine. In particular, Devine suggests presenting the client computer with an option to enter line

item data regarding the claim through a web-based processor through a spreadsheet (See Devine, Col.16, lines 39-67); when the spreadsheet option is selected (See Devine, Col.5, lines 22-52); and when the web-based process option is selected (See Devine, Col.6, lines 4-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Devine within the collective teachings of DiRienzo and Montagna with the motivation of providing an integrated proxy interface that reformats specific browser-based commands and communicates them to one or more corporate back-end fulfilling servers (See Devine, Col.2, lines 28-33).

(Q) Claims 16-42 recite the underlying process steps of the elements of claims 2-14, respectively. As the various elements of claims 2-14 and have been shown to be either disclosed by or obvious in view of the collective teachings of DiRienzo, Montagna and Devine, it is apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 16-42 are rejected for the same reasons given above for method claims 16-42, and incorporated herein.

(R) As per claim 43, Devine discloses the method wherein the querying performed when the spreadsheet option is selected comprises: checking a cookie on the client computer (See Devine, Col.6, lines 4-67); and noting whether the client computer has a particular spreadsheet (See Devine, Col.6, lines 4-67).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 1, and incorporated herein.

(S) As per claim 44, Devine discloses the system wherein the querying performed when the spreadsheet option is selected comprises instructions for: checking a cookie on the client computer (See Devine, Col.6, lines 4-67); and noting whether the client computer has a particular spreadsheet (See Devine, Col.6, lines 4-67).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 15, and incorporated herein.

(T) As per claim 45, Devine discloses the computer readable medium wherein the querying performed when the spreadsheet option is selected comprises: checking a cookie on the client computer (See Devine, Col.6, lines 4-67); and noting whether the client computer has a particular spreadsheet (See Devine, Col.6, lines 4-67).

The motivation for combining the respective teachings of DiRienzo, Montagna and Devine are as discussed in the rejection of claim 29, and incorporated herein.

### ***Response to Arguments***

4. Applicant's arguments filed on 03/30/05 with respect to claims 1-45 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches automated claim processing and attorney referral and selection (2001/0041993), computerized system and method for work management (5,557,515) and system and method for utilizing a fully-integrated, on-line digital collectible award redemption and instant win program (2001/0034635).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769.

The examiner can normally be reached on Monday-Thursday from 6:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

V.F.  
V.F.

July 9, 2005

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600